

DT17 Rec'd PCT/PTO 05 AUG 2002

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HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: L. McLaughlin

DATE: Aug 1, 2002

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Deisseroth <i>et al.</i>	: Group Art Unit: Not yet assigned
		:
Appln. No.:	09/856,922	: Examiner: Not yet assigned
		:
International Appln. No.:	PCT/US99/28613	:
		:
International Filing Date:	3 December 1999	: Attorney Docket No. 44574-5059
		:
For:	PLASTIN PROMOTER DIRECTED GENE THERAPY	:

**RENEWED PETITION FOR REVIVAL OF AN APPLICATION FOR  
PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

This renewed petition is submitted to revive the above-identified application which originally went abandoned on May 30, 2002 for failure to respond to the Notification of Missing Requirements mailed July 11, 2001. This renewed petition is being submitted on the grounds that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under paragraph 1.137(b)(3) was unintentional. This renewed petition is being filed promptly upon receipt of the Decision on Petition dated July 12, 2002.

Applicants' Petition for Revival of an Applicant for Patent Abandoned Unintentionally under 37 CFR 1.137(b), filed on June 19, 2002, was denied because Applicants' counsel "subsequently compiled the declaration into the single document filed 19 June 2002, which is improper." Applicant's counsel was unaware that this was an improper procedure, and contend that the document compilation was not done in an effort to deceive or conceal, but was done as a paper-reduction measure. Applicants therefore request reconsideration on the merits of the

petition. Applicants enclose herewith complete copies of the fully executed declarations of the inventors. Also enclosed is the Petition for a Five Month Extension of Time to and including February 4, 2002, along with the appropriate extension fee as noted below, as originally filed in the Petition dated June 19, 2002.

The following fees are being paid by Deposit Account:

- [X] Authorization to charge our firm's Deposit Account No. 50-0310 (Billing No. 44574-5059) for the following fees:
  - [X] Petition to Revive fee [\$640.00] as set forth in 37 C.F.R. § 1.17(m).
  - [X] Fee for a Petition for a Five Month Extension of Time (\$980.00).
  - [X] Any additional fees/overpayments are authorized to be charged/credited to the above Deposit Account. One additional copy of this paper is enclosed for accounting purposes.

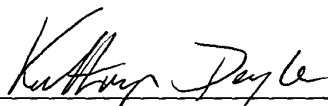
Reinstatement of this application and the filing of the previously filed response to Notification of Missing Requirements are respectfully requested.

Respectfully submitted,

**DEISSEROTH ET AL.**

August 1, 2002  
(Date)

By:

  
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